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SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			WHIPKEY, JASON T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/729,097	Applicant(s) SILVERBROOK ET AL.	
	Examiner Jason T. Whipkey	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,9,14-18,23-25 and 27 is/are rejected.
- 7) ☒ Claim(s) 6,8,10-13,19-22,26 and 28-30 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/113,057.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/8/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 7 and 9 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of claims 5 and 1, respectively. Applicant is required to cancel the claim, amend the claim to place it in proper dependent form, or rewrite the claim in independent form.

Claim 7 includes only the limitation, "a print roll drive system for dispensing the media along a print path, the printer being positioned in the print path". Claim 5, by incorporating the limitations of claim 1, recites, "a print drive system for dispensing media from the print roll along a print path [and] a printer positioned in the print path".

Claim 9 includes only the limitation, "a housing adapted to receiving the print roll".

Claim 1 recites, "a housing adapted to receive a print roll".

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

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Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1 and 9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of copending Application No. 10/729,099 in view of Suzuki (U.S. Patent Application Publication No. 2003/0043273).

Regarding **claim 1**, the '099 application claims:

A handheld camera, said camera comprising: a sensor adapted to sense an image (claim 1, lines 1-2); a printer for printing images on media dispensed from a print roll (claim 1, line 3); a processing system, the processing system being adapted to: obtain the image from the sensor (claim 1, lines 6-7); and, manipulate the image in accordance with predetermined data representing a respective manipulation; and, cause the manipulated image to be printed on the media (claim 4, lines 3-5).

Claim 1 does not recite a housing adapted to receive the print roll and a print drive system for dispensing media from the print roll along a print path.

Suzuki discloses a handheld camera (see Figure 1) including a printer (P) for printing images on media (print sheet 11; see paragraph 55) dispensed from a print roll (24; see *id.*). As shown in Figure 2, print roll 24 is enclosed in camera housing 1a. A print drive system (roll-shaped platen 10) feeds print sheet 11 from the roll past ink jet head 5 (see paragraph 55).

An advantage to placing a print roll in a camera housing is that the roll is held in place for use as needed. An advantage to using a print drive system for dispensing media along a print path is that the camera can control the paper speed and motion on the fly (as opposed to a user

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manually pulling paper past the print head), resulting in a more accurate representation of the printed image. An advantage to positioning a printer in a print path is that the printer may accomplish its objective by printing an image on media. For these reasons, it would have been obvious at the time of invention for the claimed camera to include a housing for the print roll and a print drive system that dispenses media from the print roll along the print path.

Claim 9 may be treated like claim 1, as claim 9 is not substantively different than claim 1. See item 1 above.

This is a provisional obviousness-type double patenting rejection.

4. Claims 2-5 and 7 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of copending Application No. 10/729,099 in view of Suzuki and Purcell (U.S. Patent No. 6,227,643).

Claim 2 may be treated like claim 1 above. However, a print roll including a chip having predetermined information stored thereon is neither claimed in the '099 application nor disclosed by Suzuki.

Purcell discloses:

the print roll (see Figure 8) comprising a chip (memory element 140) having predetermined information stored thereon (see column 9, lines 30-51 and 65-67, and column 10, lines 1-27), the processing system being adapted to print the image in accordance with the predetermined information (for example, memory element 140 may store the amount of print media remaining on the roll and use

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that information to determine whether to permit the commencement of a print job; see column 9, lines 47-51, and column 10, lines 22-27).

As stated in column 9, line 65, through column 10, line 8, an advantage to storing data on a chip included on a print roll is that properties of the print roll may be transferred between printing devices along with the roll. For this reason, it would have been obvious at the time of invention to have a camera read data from a print roll including a chip.

Regarding **claim 3**, as described above, the data on the chip described by Purcell is used to modify the image data.

Regarding **claim 4**, as described above, Purcell teaches that the chip stores a remaining media length indicator (i.e., the amount of print media remaining on the roll) and the camera uses that information to determine whether to permit the commencement of a print job; see column 9, lines 47-51, and column 10, lines 22-27.

Claim 5 may be treated like claim 1 above. However, a guillotine to cut media from the print roll is neither claimed in the instant application nor disclosed by Suzuki.

Purcell discloses a printer, including:

a guillotine (automatic cutting knife 64; see column 4, line 65) the processing system being adapted to activate the guillotine to cut media from the print roll (as shown in Figure 2, processor 52 controls cutting knife 64 via drive circuits 60).

An advantage to including a guillotine to cut media from the print roll is that a more presentable print may be produced for the user, as the user is not required to cut the media manually. For this reason, it would have been obvious at the time of invention to have the claimed camera include a guillotine.

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Claim 7 may be treated like claim 5, as claim 7 is not substantively different than claim

5. See item 1 above.

This is a provisional obviousness-type double patenting rejection.

5. Claim 14 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of copending Application No. 10/729,099 in view of Suzuki and Sarbadhikari (U.S. Patent No. 5,477,264).

Regarding **claim 14**, a card reader for storing image manipulation instructions is neither claimed in the '099 application nor disclosed by Suzuki.

Sarbadhikari discloses an electronic imaging system, as shown in Figure 2, with memory card 24. The memory card stores "enhancement data files 24b to modify the camera operation, or the images captured by the camera" (column 6, lines 55-58). Sarbadhikari also discloses:

the camera comprising an input in the form of a card reader (interface 26; see

Figure 2), the predetermined data being stored on a card (24, as described above).

As stated in column 8, lines 36-39, an advantage to including image manipulation instructions on a card is that a card reader used for storing images (card readers are commonly used in cameras to store images) may be given an additional function, thus making a separate means for supplying instructions, such as a floppy disk drive, unnecessary. For this reason, it would have been obvious at the time of invention to have Suzuki's camera read the predetermined data from a card via a card reader.

This is a provisional obviousness-type double patenting rejection.

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6. Claims 16-18 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of copending Application No. 10/729,099 in view of Suzuki, Sarbadhikari, and Lemelson (U.S. Patent No. 3,943,563).

Claim 16 may be treated like claim 14. However, Sarbadhikari is silent with regard to including a card drive system.

Lemelson discloses a device for recording camera data on a magnetic card using the device shown in figures 3 and 4, including:

the card reader (31) comprising a card drive system (motor 42, which activates belt conveyors 40 and 41) for driving the card along a card path, and a card sensor (transducing heads 43' and 44') positioned along the card path.

An advantage to including a card drive system in a camera is that the insertion of a card is easier. For this reason, it would have been obvious at the time of invention to have Sarbadhikari's camera include a card drive system, such as the one described by Lemelson.

Regarding **claim 17**, Lemelson discloses:

data being disposed on a surface of the card (magnetic recording material 13' coats the surface of card 10 for storing data; see column 3, lines 23-26), the input being adapted to read the predetermined data disposed on the card surface (transducing heads 43' and 44' read the magnetic data).

Regarding **claim 18**, Lemelson discloses:

the card sensor extending across the width of the card path (see transducing heads 43 in Figure 4), the processing system being adapted to activate the card sensor

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and the drive system to thereby detect the predetermined data as the card moves with respect to the card sensor (see column 5, lines 25-30).

This is a provisional obviousness-type double patenting rejection.

7. Claims 23 and 24 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 33 of copending Application No. 10/729,099 in view of Suzuki.

Regarding **claim 23**, the '099 application claims:

A method of operating a handheld camera, the method comprising: causing a sensor to sense an image; obtaining the image from the sensor (claim 32, lines 1-3); manipulating the image in accordance with predetermined data representing a respective manipulation (claim 33, lines 2-3); dispensing media from a print roll (claim 32, line 4); printing the manipulated images on the dispensed media (claim 32, line 4).

Claim 33 does not recite a print drive system for dispensing media from the print roll along a print path.

Suzuki discloses a handheld camera (see Figure 1) including a printer (P) for printing images on media (print sheet 11; see paragraph 55) dispensed from a print roll (24; see *id.*). A print drive system (roll-shaped platen 10) feeds print sheet 11 from the roll past ink jet head 5 (see paragraph 55).

An advantage to using a print drive system for dispensing media along a print path is that the camera can control the paper speed and motion on the fly (as opposed to a user manually

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pulling paper past the print head), resulting in a more accurate representation of the printed image. An advantage to positioning a printer in a print path is that the printer may accomplish its objective by printing an image on media. For these reasons, it would have been obvious at the time of invention for the claimed camera to include a print drive system that dispenses media from the print roll along the print path.

Regarding **claim 24**, the '099 application claims:

the print roll comprising a chip having predetermined information stored thereon,
the method comprising printing the image in accordance with the predetermined
information (claim 32, lines 4-6).

This is a provisional obviousness-type double patenting rejection.

8. Claim 25 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 33 of copending Application No. 10/729,099 in view of Suzuki and Purcell.

Claim 25 may be treated like claim 23 above. However, a guillotine to cut media from the print roll is neither claimed in the instant application nor disclosed by Suzuki.

Purcell discloses a printer, including:

a guillotine (automatic cutting knife 64; see column 4, line 65) the method
comprising activating the guillotine to cut media from the print roll (as shown in
Figure 2, processor 52 controls cutting knife 64 via drive circuits 60).

An advantage to including a guillotine to cut media from the print roll is that a more presentable print may be produced for the user, as the user is not required to cut the media

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manually. For this reason, it would have been obvious at the time of invention to have the claimed camera include a guillotine.

9. Claim 27 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 33 of copending Application No. 10/729,099 in view of Suzuki and Lemelson.

Claim 27 may be treated like claim 23. However, a card drive system for driving a card containing the predetermined data is neither claimed in the '099 application nor disclosed by Suzuki.

Lemelson discloses a device for recording camera data on a magnetic card using the device shown in figures 3 and 4, including:

a card reader (31) comprising a card drive system (motor 42, which activates belt conveyors 40 and 41) for driving the card along a card path, and a card sensor (transducing heads 43' and 44') extending across the width of the card path (shown in Figure 4), the method comprising activating the card sensor and the drive system to thereby detect the predetermined data as the card moves with respect to the card sensor (see column 5, lines 25-30).

An advantage to including a card reading system in a camera is that data may be easily exchanged and stored using a compact, reliable medium. For this reason, it would have been obvious at the time of invention to have the claimed camera include a card reading system, such as the one described by Lemelson.

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Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

While Applicant is permitted to be his own lexicographer, the term “Vark script” has not been claimed in a manner that apprises the public of the metes and bounds of the protection sought by Applicant. Applicant discloses, beginning on page 13 of the specification, that “Vark is a powerful image processing language especially developed for the Artcam unit.” The specification proceeds to describe Vark using phrases such as, “Preferably, the Vark language is ...” and “Preferably, the language includes” Consequently, one of ordinary skill in the art would be unable to discern what, at a minimum, constitutes a Vark script and how to avoid infringing on the claim.

See MPEP §§ 2173.02, 2173.05(a).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

14. Claims 1-3, 4, 5, 7, 9, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Purcell.

Regarding **claim 1**, Suzuki discloses:

A handheld camera (see Figure 1), said camera comprising: a sensor (CCD 40) adapted to sense an image; a housing (1a in Figure 2) adapted to receive a print roll (24; see paragraph 55); a print drive system (see the various rollers in Figure 1) for dispensing media (print sheet 11) from the print roll along a print path; a printer (ink jet head 5 in Figure 2) positioned in the print path for printing images on media dispensed from the print roll; a processing system (51 in Figure 3; see paragraph 68), the processing system being adapted to: obtain the image from the sensor (see paragraph 64), manipulate the image (the error diffusion method

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described in paragraph 68), and cause the manipulated image to be printed on the media (see *id.*).

Suzuki is silent with regard to manipulating the image data in accordance with predetermined data representing a manipulation.

Purcell discloses a printer that reads stored data, such as the color of print media in the camera, and modifies the image data in accordance with the color (see column 10, lines 16-17). As stated in column 10, lines 22-27, an advantage to modifying image data before printing is that color errors may be avoided. For this reason, it would have been obvious at the time of invention to have Suzuki's camera manipulate the image data in accordance with predetermined data.

Regarding **claim 2**, Suzuki is silent with regard to the print roll including a chip having predetermined information stored thereon.

Purcell discloses:

the print roll (see Figure 8) comprising a chip (memory element 140) having predetermined information stored thereon (see column 9, lines 30-40 and 65-67, and column 10, lines 1-27), the processing system being adapted to print the image in accordance with the predetermined information (for example, memory element 140 may store the amount of print media remaining on the roll and use that information to determine whether to permit the commencement of a print job; see column 9, lines 47-51, and column 10, lines 22-27).

As stated in column 9, line 65, through column 10, line 8, an advantage to storing data on a chip included on a print roll is that properties of the print roll may be transferred between

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printing devices along with the roll. For this reason, it would have been obvious at the time of invention to have a camera read data from a print roll including a chip.

Regarding **claim 3**, the data on the chip described by Purcell is used to modify the image data (see column 10, lines 16-17).

Regarding **claim 4**, as described above, Purcell teaches that the chip stores a remaining media length indicator (i.e., the amount of print media remaining on the roll) and the camera uses that information to determine whether to permit the commencement of a print job; see column 9, lines 47-51, and column 10, lines 22-27.

Regarding **claim 5**, Purcell discloses a printer, including:

a guillotine (automatic cutting knife 64; see column 4, line 65), the processing system being adapted to activate the guillotine to cut media from the print roll (as shown in Figure 2, processor 52 controls cutting knife 64 via drive circuits 60).

An advantage to including a guillotine to cut media from the print roll is that a more presentable print may be produced for the user, as the user is not required to cut the media manually. For this reason, it would have been obvious at the time of invention to have the claimed camera include a guillotine.

Claim 7 may be treated like claim 5, as claim 7 is not substantively different than claim 5. See item 1 above.

Claim 9 may be treated like claim 1, as claim 9 is not substantively different than claim 1. See item 1 above.

Regarding **claim 23**, Suzuki discloses:

A method of operating a handheld camera (see Figure 1), the method comprising: causing a sensor (CCD 40) to sense an image; obtaining the image from the sensor (see paragraph 64); manipulating the image (the error diffusion method described in paragraph 68); activating a print drive system (see the various rollers in Figure 1) for dispensing media (print sheet 11) from a print roll (24; see paragraph 55) along a print path; activating a printer (ink jet head 5 in Figure 2) positioned in the print path to print the manipulated images on the dispensed media (see paragraph 68).

Suzuki is silent with regard to manipulating the image data in accordance with predetermined data representing a manipulation.

Purcell discloses a printer that reads stored data, such as the color of print media in the camera, and modifies the image data in accordance with the color (see column 10, lines 16-17). As stated in column 10, lines 22-27, an advantage to modifying image data before printing is that color errors may be avoided. For this reason, it would have been obvious at the time of invention to have Suzuki's camera manipulate the image data in accordance with predetermined data.

Regarding **claim 25**, Purcell discloses a printer, including:

a guillotine (automatic cutting knife 64; see column 4, line 65) the method comprising activating the guillotine to cut media from the print roll (as shown in Figure 2, processor 52 controls cutting knife 64 via drive circuits 60).

An advantage to including a guillotine to cut media from the print roll is that a more presentable print may be produced for the user, as the user is not required to cut the media

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manually. For this reason, it would have been obvious at the time of invention to have the claimed camera include a guillotine.

15. Claims 1 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Sarbadhikari.

Regarding **claim 1**, Suzuki discloses:

A handheld camera (see Figure 1), said camera comprising: a sensor (CCD 40) adapted to sense an image; a housing (1a in Figure 2) adapted to receive a print roll (24; see paragraph 55); a print drive system (see the various rollers in Figure 1) for dispensing media (print sheet 11) from the print roll along a print path; a printer (ink jet head 5 in Figure 2) positioned in the print path for printing images on media dispensed from the print roll; a processing system (51 in Figure 3; see paragraph 68), the processing system being adapted to: obtain the image from the sensor (see paragraph 64), manipulate the image (the error diffusion method described in paragraph 68), and cause the manipulated image to be printed on the media (see *id.*).

Suzuki is silent with regard to manipulating the image data in accordance with predetermined data representing a manipulation.

Sarbadhikari discloses an electronic imaging system, as shown in Figure 2, with memory card 24. The memory card stores “enhancement data files 24b to modify the camera operation, or the images captured by the camera” (column 6, lines 55-58). As stated in column 7, lines 65-67, an advantage to including these instructions on such a card is that new, improved algorithms

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may be supplied to the camera to enhance image quality. For this reason, it would have been obvious at the time of invention to have Suzuki's camera use stored data to manipulate the captured image data.

Regarding **claim 14**, Sarbadhikari discloses:

the camera comprising an input in the form of a card reader (interface 26; see Figure 2), the predetermined data being stored on a card (24, as described above).

As stated in column 8, lines 36-39, an advantage to including image manipulation instructions on a card is that a card reader used for storing images (card readers are commonly used in cameras to store images) may be given an additional function, thus making a separate means for supplying instructions, such as a floppy disk drive, unnecessary. For this reason, it would have been obvious at the time of invention to have Suzuki's camera read the predetermined data from a card via a card reader.

16. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Sarbadhikari and further in view of Lemelson.

Claim 16 may be treated like claim 14. However, Sarbadhikari is silent with regard to including a card drive system.

Lemelson discloses a device for recording camera data on a magnetic card using the device shown in figures 3 and 4, including:

the card reader (31) comprising a card drive system (motor 42, which activates belt conveyors 40 and 41) for driving the card along a card path, and a card sensor (transducing heads 43' and 44') positioned along the card path.

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An advantage to including a card drive system in a camera is that the insertion of a card is easier. For this reason, it would have been obvious at the time of invention to have Sarbadhikari's camera include a card drive system, such as the one described by Lemelson.

Regarding **claim 17**, Lemelson discloses:

data being disposed on a surface of the card (magnetic recording material 13' coats the surface of card 10 for storing data; see column 3, lines 23-26), the input being adapted to read the predetermined data disposed on the card surface (transducing heads 43' and 44' read the magnetic data).

Regarding **claim 18**, Lemelson discloses:

the card sensor extending across the width of the card path (see transducing heads 43 in Figure 4), the processing system being adapted to activate the card sensor and the drive system to thereby detect the predetermined data as the card moves with respect to the card sensor (see column 5, lines 25-30).

17. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Purcell and further in view of Lemelson.

Claim 27 may be treated like claim 23. However, Suzuki and Purcell are silent with regard to including a card drive system for driving a card containing the predetermined data.

Lemelson discloses a device for recording camera data on a magnetic card using the device shown in figures 3 and 4, including:

a card reader (31) comprising a card drive system (motor 42, which activates belt conveyors 40 and 41) for driving the card along a card path, and a card sensor

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(transducing heads 43' and 44') extending across the width of the card path (shown in Figure 4), the method comprising activating the card sensor and the drive system to thereby detect the predetermined data as the card moves with respect to the card sensor (see column 5, lines 25-30).

An advantage to including a card reading system in a camera is that data may be easily exchanged and stored using a compact, reliable medium. For this reason, it would have been obvious at the time of invention to have Suzuki's camera include a card reading system, such as the one described by Lemelson.

Allowable Subject Matter

18. Claims 6, 8, 10-13, 19-22, 26, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 6, no prior art could be located that teaches or fairly suggests a handheld camera with a printer using a paper roll, wherein the paper roll contains a chip storing information and a guillotine that is activated in response to a detected attempt to pull the print media from the camera.

Regarding claim 8, no prior art could be located that teaches or fairly suggests a handheld camera with a printer using a paper roll, wherein the paper roll contains a chip storing information and a guillotine that is activated in response to the print media being dispensed at a faster rate than the print roll drive system.

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Regarding claims 10-13, no prior art could be located that teaches or fairly suggests a camera that prints manipulated image data on an included printer, wherein the image data is manipulated by reading information from a chip on a print roll after the chip and camera perform an authentication.

Regarding claims 19-22, no prior art could be located that teaches or fairly suggests a camera that prints manipulated image data on an included printer, wherein the image data is manipulated by optically reading information from the surface of a card driven by a card drive system.

Regarding claim 26, no prior art could be located that teaches or fairly suggests a camera that prints manipulated image data on an included printer, wherein the image data is manipulated by reading information from a chip on a print roll after the chip and camera perform an authentication.

Regarding claims 28, no prior art could be located that teaches or fairly suggests a camera that prints manipulated image data on an included printer, wherein the image data is manipulated by reading information in an image from the surface of a card driven by a card drive system.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

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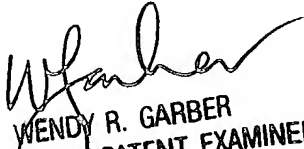
20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason T. Whipkey, whose telephone number is (703) 305-1819. The examiner can normally be reached Monday through Friday from 8:30 A.M. to 6:00 P.M. eastern daylight time, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber, can be reached on (703) 305-4929. The fax phone number for the organization where this application is assigned is (703) 872-9306.

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November 3, 2004


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